

Message Text

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44

ACTION L-03

INFO OCT-01 AF-10 EUR-25 EA-11 NEA-10 IO-13 ADP-00 ARA-16

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 RSR-01 /239 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC 1204

INFO USMISSION USUN NY

AMEMBASSY WARSAW

AMEMBASSY PORT LOUIS

AMEMBASSY SUVA

AMEMBASSY BUCHAREST

AMEMBASSY WELLINGTON

AMEMBASSY ANKARA

AMEMBASSY TANANARIVE

AMEMBASSY JAKARTA

AMEMBASSY MADRID

AMEMBASSY SOFIA

AMEMBASSY MOSCOW

AMEMBASSY LONDON

UNCLAS GENEVA 4380

E.O. 11652:

TAGS: PBOR, UN

SUBJ: LOS: SEABED COMTE MEETING, SUBCOMMITTEE II,

AUGUST 13, 1973

1. SUMMARY: SC HEARD CO-SPONSORS REMARKS ABOUT DRAFT PROPOSALS WHICH THEY HAD INTRODUCED. GENERAL STATEMENTS WERE MADE BY SEVERAL DELEGATIONS ON STRAITS, ISLANDS AND ARCHIPELAGOES.

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2. POLISH REP SPOKE AT LENGTH IN SUPPORT OF SOVIETS STRAITS POSITION. HE STRESSED THAT POLAND BORDERED ON SEMI-ENCLOSED SEA AND HAD TO PASS THROUGH RESTRICTED ACCESS TO REACH OCEAN. OUTER LIMIT OF CONTINENTAL SHELF SHOULD NOT BE TOO FAR FROM COAST IN ORDER TO PRESERVE LARGE AREA FOR INTERNATIONAL COMMUNITY. REP BELIEVED THAT MEDIAN LINE SHOULD NOT BE AUTOMATICALLY APPLIED IN DETERMINING MARITIME JURISDICTIONAL ENTITLEMENT OF ISLANDS. ISLANDS SHOULD BE TREATED ON CASE BY CASE BASIS.

3. MAURITIUS INTRODUCED DRAFT ARTICLES ON ARCHIPELAGOES (A/AC.138/SC.II/L.48). REP WENT THROUGH PRINCIPAL FEATURES OF ARTICLES AND SUGGESTED THAT DEBATE ON INNOCENT PASSAGE WOULD PROBABLY NOT BE OVER BY CONCLUSION OF CONFERENCE. HE ALSO RESPONDED TO CERTAIN POINTS MADE BY OTHER DELEGATIONS AND, INTER ALIA, ARGUED THAT U.S. COULD NOT "JUMP ON ARCHIPELAGIC BANDWAGON" FOR ITS TERRITORY.

4. FIJI ALSO SPOKE AS CO-SPONSOR OF L.48. RIGHT OF INNOCENT PASSAGE WOULD EXIST IN "ARCHIPELAGIC WATERS". HOWEVER, SUCH INNOCENT PASSAGE WOULD BE SUBJECT TO CERTAIN QUALIFICATIONS SUCH AS BEING EXERCISED IN SEALANES DESIGNATED BY ARCHIPELAGIC STATE.

5. ROMANIA ANNOUNCED THAT IT WAS CO-SPONSORING DRAFT ARTICLE ON REGIME OF ISLANDS (A/AC.138/SC.II/L.43) WHICH STATES THAT MARITIME SPACES OF ISLANDS SHALL BE DETERMINED ACCORDING TO EQUITABLE PRINCIPLES TAKING INTO ACCOUNT NUMBER OF FACTORS. ROMANIA WAS WILLING TO ACCEPT SINGLE CRITERION FOR CONTINENTAL SHELF OUTER LIMIT.

6. NEW ZEALAND REP SPOKE AGAINST TURKISH PROPOSAL FOR STUDY ON ISLANDS. HE CRITICIZED LACK OF INFORMATION ABOUT SCOPE AND PURPOSE OF STUDY.

7. MADAGASCAR ALSO SPOKE IN SUPPORT OF L.43.

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8. INDONESIA SPOKE IN SUPPORT OF L.48. HE STRESSED DANGERS OF PASSAGE IN ARCHIPELAGIC WATERS BY WARSHIPS, SUBMARINES AND NUCLEAR VESSELS. HE STATED THAT HIS GOVERNMENT WANTED KNOWLEDGE OF WHAT SUCH VESSELS WERE DOING IN THEIR WATERS. ISOLATED ISLANDS IN MIDDLE OF NOWHERE COULD NOT BE TREATED AS ARCHIPELAGOES. REP THEN PROCEEDED ARTICLE BY ARTICLE THROUGH L.48. HE NOTED THAT CO-SPONSORS HAD DIFFERENT PRACTICES WITH

REGARD TO STATUS OF WATERS WITHIN BASELINES, AND THIS WAS REASON FOR NEW CONCEPT OF ARCHIPELAGIC WATERS. HE ARGUED THAT DEVELOPING COUNTRIES HAD LITTLE INTEREST IN ENHANCING ABILITY OF SUPER POWERS TO TRANSIT ARCHIPELAGO, AND HE IMPLIED THAT INDONESIA MIGHT SUBMIT SEPARATE, STRONGER ARTICLES ON PASSAGE OF NUCLEAR POWERED SHIPS. HE ARGUED THAT DANGERS TO COASTAL STZTES WERE EVEN GREATER IN CONGESTED STRAITS USED FOR INTERNATIONAL NAVIGATION AND THEREFORE COASTAL STATE NEEDED EVEN GREATER CONTROL TO PROTECT ITSELF. HE STATED THAT INNOCENT PASSAGE DOCTRINE HAD NOT BEEN USED TO DENY USE OF STRAITS.

9. SPAIN STRESSED THAT ISLANDS WERE PART OF TERRITORY OF STATE AND SUGGESTED THAT GENERAL PRINCIPLES MUST BE DEVELOPED FOR THEIR REGIME. ARCHIPELAGOES REQUIRED SEPARATE TREATMENT AND SPAIN SUPPORTED L.48. SPANISH REP COMMENTED THAT ISLANDS STUDY WOULD BE PRACTICALLY IMPOSSIBLE. REP ALSO RESPONDED TO EARLIER COMMENTS BY BULGARIA AND ROMANIA BY STATING THAT WITHOUT FREE TRANSIT IN STRAITS, SUPER-POWER SUBMARINES WOULD HAVE TO NAVIGATE ON SURFACE AND SHOW THEIR FLAG, AND MILITARY AIRCRAFT WOULD NOT HAVE RIGHT OF OVERFLIGHT. HE ARGUED THAT DEVELOPING COUNTRIES NEEDS SHOULD NOT BE SACRIFICED TO MEET MILITARY ASPIRATIONS OF SUPER-POWERS.

10. U.K. INTRODUCED DRAFT ARTICLES ON ARCHIPELAGIC STATES (A/AC.138/SC.II/L.44). REP EXPLAINED REASONS FOR ASPECTS SUCH AS 48 MILE BASELINES, LAND-WATER RATIOS AND COMPULSORY DISPUTE SETTLEMENT.

11. TURKEY RESPONDED TO CRITICISM OF ITS ISLAND
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STUDY PROPOSAL AND EXPLAINED ITS NATURE AND PURPOSE.

12. UKRAINE ASKED SPAIN WHO WOULD DECIDE WHETHER PASSAGE WAS INNOCENT? ANSWER WAS COASTAL STATES AND THIS OPENED DOOR TO DISCRIMINATORY MEASURES.
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